IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1605 OF 2007

Mohini Santosh Gosavi .. Applicant.

V/s.

State of Maharashtra & Ors. .. Respondents.

Mr.S.B.Thorat for the Applicant.

Mr.A.S.Shitole, APP for State.

Mr.Kishor Patil i/b Mr.P.N.Joshi for the Respondent Nos. 2 to 5.

CORAM : A.P.DESHPANDE, J.

DATED : 28TH NOVEMBER, 2007.

P.C. :-

. This is a transfer application filed by the applicant wife, seeking transfer of the criminal complaint pending on the file of the Magistrate at Yewala, Dist. Nasik to a court at Osmanabad. The marriage of the applicant was solemnised with the respondent No.2 on 18.02.2006. After a few months, the applicant filed a complaint against the husband, mother of the husband, sister of the husband and brother of the husband under section 498-A read with sections 323, 504 & 506 read with section 34 so also under section 3 and 4

of the Dowry Prohibition Act. The husband and his family members are being prosecuted in the court of Magistrate at Yewala. The applicant is seeking transfer of the said case to Osmanabad, which is at a distance of 350 kilometres, solely on the ground that it would be more convenient for the applicant to prosecute the complaint at Osmanabad as she is presently staying alongwith her parents at Osmanabad. According to the learned counsel appearing for the respondent Nos. 2 to 5, the said respondents would be put to suffer utmost inconvenience and hardship if the matter is transfer to a court at Osmanabad, as all the respondents will have to attend the case at Osmanabad Court on all the dates. No case as such, according to the learned counsel for the respondents, is made out for passing an order of transfer of the pending case from the court at Yewala to Osmanabad.

2. There is no merit in the application. The same is rejected.

(A.P.DESHPANDE,J.)

.....